

Notice of Allowability

Application No.

09/989,362

Examiner

Jasmine J. Clark

Applicant(s)

AUCH ET AL.

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/31/7.
2. ☒ The allowed claim(s) is/are 1-16, 24-26 and 56-68.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/31/7
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

**JASMINE CLARK
PRIMARY EXAMINER**



Information Disclosure Statement

1. The IDS filed 10/31/7 has been considered.

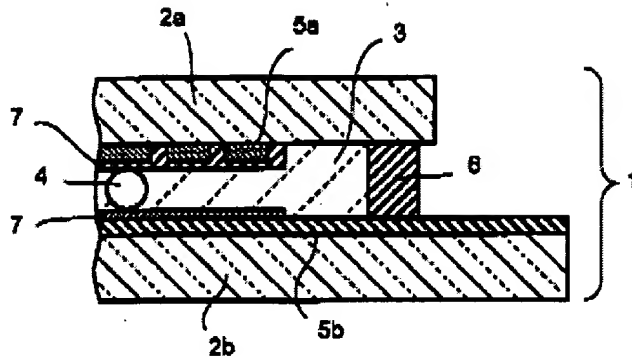
Auch et al. (US 7,166,007) has joint inventors the same as the present application and has only method claims. Guenther et al. (US 6,949,880) also has the same joint inventors as the present application and has both device and method claims. However, Guenther '880 does not teach including an adhesive which is located in a sealing region. Furthermore Guenther '880 further claimed including an organic electroluminescent layer which is not being claimed in the present application. Similar to Guenther '880 is Guenther (US 6,888,308). Guenther '308 claimed including, for example "wherein a thickness of a device (T.sub.P) is less than a width of the sealing frame (W.sub.SF) which is not being claimed in the present application.

Hayashi et al. (US 6,791,660), Takeuchi (US 6,734,942), and Barth et al. (US 6,580,090) filed after the present application (see CIP or PCT dated 12/17/1999).

Hiroshige et al. (US 6,309,502) disclose relating to an adhesive, but do not disclose the limitations as set forth in the claimed invention.

Sakai et al. (US 6,222,603) (see Fig. 1 below) shows a device comprising:

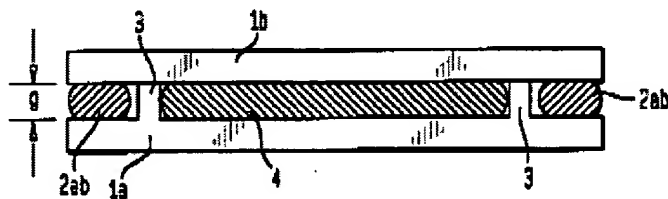
FIG. 1



-a substrate 2b; a numeral 7 can be considered as an active component on a device region; a cap 2a mounted on the substrate to form a package, the cap 2a creating a cavity over the device region; and spacer particles 4 fixed to the active component. However Sakai '603 disclose that the spacer particle 4 is sprayed i.e., but fails to disclose spraying with adhesive, for example.

Von Gutfeld (US 6,219,126) (see Fig. 2 below) shows a structure of a device

FIG. 2



having a substrate 1a, a cap 1b mounted on the substrate 1a, an adhesive fillet 2ab serve as spacer particles; and a LC material 4 serves as an active component in a device region between the cap and substrate. However, Von Gutfeld '126 fails to teach that the spacer particles are fixed to the active component as set forth in claim 8.

Ohoshi et al. (US 5,949,184) does not teach having spacer particles between the cap and the substrate, wherein the spacer particles are coated with an adhesive layer.

Field of Search

2. This application was searched and re-searched in class 257, subclasses 13, 21, 53, 79-100, 113-118, 184, 290, 431-436, 444, 678-796, e23.001-e23.194, e21.503, e21.504, e21.511, in view of the limitations of the claimed invention (text search was also done). The re-search was ineffective.

Allowable Subject Matter

3. Claims 1-16, 24-26, and 56-68 are allowed.

The following is an examiner's statement of reasons for allowance: pleas see the reasons in paragraph 1 above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone Inquiry Contacts

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine J. Clark whose telephone number is (571) 272-1726. The examiner can normally be reached on Flex.

Application/Control Number:
09/989,362
Art Unit: 2815

Page 5

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Parker can be reached on (571) 272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jjbc/1/18/8

JASMINE CLARK
PRIMARY EXAMINER

